



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of

John BOBO et al.

Group Art Unit: 1614

Application No.: 10/024,143

Filed: December 21, 2001

Docket No.: 108774

For: **BIOCOMPATIBLE POLYMERS AND ADHESIVES; COMPOSITIONS, METHODS  
OF MAKING AND USES RELATED THERETO**

**DECLARATION UNDER 37 C.F.R. §1.47(a)**

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

**RECEIVED**

**JUN 18 2002**

**OFFICE OF PETITIONS**

I, Debra L. Pawl, Esquire, hereby declare and state:

1. That I am Vice President and General Counsel for Closure Medical Corporation.
2. That John S. Bobo, Julian A. Quintero, Jerry Y. Jonn, Joe B. Barefoot, Jeffrey G. Clark, Upvan Narang, Scott Marc Cannizzaro and J. Christopher Marmo are named as co-inventors for the above-identified application.
3. That on March 6, 2002, I sent a letter by Certified Mail to J. Christopher Marmo. The Certified Letter included a copy of the complete application (including the specification and claims), an Assignment, and a combined U.S. Declaration/Power of Attorney for execution by Mr. Marmo. This Certified Letter was sent to Mr. Marmo's last known address: 39 Green Gables Ct., Danville, California, 94506. A copy of the Certified Letter is enclosed as Exhibit A.
4. That on March 4, 2002, I sent a letter by Certified Mail to Scott Marc Cannizzaro. The Certified Letter included a copy of the complete application (including the specification

Application No. 10/024,143

and claims), an Assignment, and a combined U.S. Declaration/Power of Attorney for execution by Mr. Cannizzaro. This Certified Letter was sent to Mr. Cannizzaro's last known address: 3131 Walnut Street, Philadelphia, Pennsylvania, 19104. A copy of the Certified Letter is enclosed as Exhibit B.

5. That I conducted a telephone conference with both Mr. Marmo and Mr. Cannizzaro on June 6, 2002, at approximately 4:00 p.m. EST. In the telephone conference, both Mr. Marmo and Mr. Cannizzaro acknowledged that they had read the application, including the claims.

6. That I conducted a telephone conference with both Mr. Marmo and Mr. Cannizzaro on June 14, 2002, at approximately 12:00 noon EST. In the telephone conference, Mr. Marmo told me that he refused to sign the Declaration unless the six co-inventors other than Mr. Marmo and Mr. Cannizzaro were removed from the application as inventors. In the telephone conference, Mr. Cannizzaro also told me that he refused to sign the Declaration unless the six co-inventors other than Mr. Marmo and Mr. Cannizzaro were removed from the application as inventors.

7. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1003 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon, or any patent to which this Declaration is directed.

June 17, 2002  
Date

Debra L. Pawl  
Debra L. Pawl

# EXHIBIT A

# CL SURE

MEDICAL CORPORATION®

March 6, 2002

By Certified Mail: 7001 0320 0002 7242 2714

J. Christopher Marmo  
39 Green Gables Ct.  
Danville, CA 94506

Re: U.S. Patent Application for "Biocompatible Polymers and Adhesives: Compositions, Methods of Making and Uses Related Thereto"

Dear Chris:

Closure Medical Corporation has filed a patent application in the United States Patent and Trademark Office with the above-identified title, and you are named as one of the co-inventors. This patent application covers an invention described in an invention disclosure submitted by you during your employment with Arthur D. Little, who provided contracted consulting services for Closure. By the terms of the services agreement and a settlement agreement between Arthur D. Little and Closure, the rights to this invention and patent application belong to Closure. Your cooperation and prompt attention to this matter is appreciated. Enclosed is a copy of the application for your review and formal legal papers for your signature.

Upon reviewing the application, should you find any errors, please call me before signing the papers. You will then need to sign and complete where indicated: the "Declaration and Power of Attorney", the "Inventor's "Duty of Candor" Acknowledgement", and the "Worldwide Assignment", which requires notarization of your signature. Included for your convenience is a stamped envelope for returning the legal papers to me. Please be reminded that these are confidential documents and are not to be copied, distributed or the contents disclosed to third parties.

I hope that things are going well for you and wish you the best. Please do not hesitate to contact me with any questions.

Best regards,



Debra L. Pawl  
Vice President and General Counsel

# EXHIBIT B

# CLOSURE

MEDICAL CORPORATION®

March 4, 2002

By Certified Mail: 7001 0320 0002 7242 2738

Scott Marc Cannizaro  
3131 Walnut Street  
Philadelphia, PA 19104

Re: U.S. Patent Application for "Biocompatible Polymers and Adhesives: Compositions, Methods of Making and Uses Related Thereto"

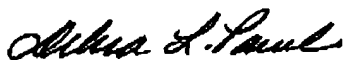
Dear Scott:

Closure Medical Corporation has filed a patent application in the United States Patent and Trademark Office with the above-identified title, and you are named as one of the co-inventors. This patent application covers an invention described in an invention disclosure submitted by you during your employment with Arthur D. Little, who provided contracted consulting services for Closure. By the terms of the services agreement and a settlement agreement between Arthur D. Little and Closure, the rights to this invention and patent application belong to Closure. Your cooperation and prompt attention to this matter is appreciated. Enclosed is a copy of the application for your review and formal legal papers for your signature.

Upon reviewing the application, should you find any errors, please call me before signing the papers. You will then need to sign and complete where indicated: the "Declaration and Power of Attorney", the "Inventor's "Duty of Candor" Acknowledgement", and the "Worldwide Assignment", which requires notarization of your signature. Included for your convenience is a stamped envelope for returning the legal papers to me. Please be reminded that these are confidential documents and are not to be copied, distributed or the contents disclosed to third parties.

I hope that things are going well for you and wish you the best. Please do not hesitate to contact me with any questions.

Best regards,



Debra L. Pawl  
Vice President and General Counsel

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